



PRESS RELEASE
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For Immediate Release

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**ANOTHER DEFENDANT SENTENCED FOR HEALTH CARE FRAUD
IN OPERATION HARDGEAR**

TAMPA - Federal authorities announced today that Thomas W. Nespeca of Tampa, Florida was sentenced in federal court in Tampa to five years' probation for his role in a scheme to defraud the Medicare and Medicaid programs, which includes a term of six months' home detention. He was ordered to pay restitution of \$236,823 to the Centers for Medicare and Medicaid Services. The court also entered an order of forfeiture of \$34,240 against the defendant.

In January 2002, Nespeca was charged by a federal grand jury sitting in Tampa in Case No. 8:02-cr-19-T-27EAJ in multiple counts of a 55-count Indictment relating to a massive scheme to defraud the Medicare and Medicaid programs. The Indictment alleged that Nespeca, along with seven other individuals and six corporations, conspired and schemed to submit false, fictitious and fraudulent claims to the Medicare and Medicaid programs in connection with the sale of durable medical equipment ("DME") such as motorized wheelchairs, alternating pressure mattresses, and related items. The charges against him related primarily to his role in the conspiracy as a sales

representative for a group of companies commonly known as "Gold Star," which, according to the Indictment, were run by Barry Douglas Haught, Ernest L. Sleeth, and others. Haught was sentenced on March 18, 2003 to a prison term of seven years, to be followed by three years of supervised release, and ordered to pay restitution of \$14,445,429 to the Centers for Medicare and Medicaid Services.

On November 13, 2002, Nespeca pleaded guilty to felony offenses relating to the fraud scheme. The investigation also netted guilty pleas from Barry Douglas Haught of Tampa, Ernest L. Sleeth of Dover, Phillip Lipsey of Orlando, James Taylor of Georgia, Dennis E. Rodriguez of Odessa, John C. Merlino of Tampa, John S. Bidelspach, D.P.M., of Palm Harbor, Fred D. Ford, Jr., of Tampa, Renee LaChance Hunter Livio of Spring Hill, Cherry E. Moody of Tampa, and Christopher C. Stursberg of Wesley Chapel, along with DME companies DBB, Inc., G.S. Care Corp., Gold Star Healthcare, Inc., Med-Care Distributors, Inc., T-Tech Medical Services, Inc., Trans-Capital Investment Group, Inc., Nursery Road Villa, Duramed, Inc., Medmaster Services, Inc., and Gold Star Medical Services, Inc., and Fulcrum Services, Inc., and Birotech Corporation, two companies that were created solely to facilitate other aspects of the fraudulent schemes. Another defendant indicted in the case, Teresa Martinez of Safety Harbor, Florida, was found guilty at trial on January 30, 2003, of one count of conspiracy to commit Medicare and Medicaid fraud, in violation of 18 U.S.C. § 371, and four counts of submitting false claims to the Medicare and Medicaid programs, in violation of 18 U.S.C. § 287. Ms. Martinez' sentencing is scheduled for April 14, 2003.

The ongoing investigation leading to the pleas and convictions, dubbed "Operation Hardgear," is being conducted jointly by the Federal Bureau of Investigation,

the Office of the Inspector General of the United States Department of Health and Human Services, the Medicaid Fraud Control Unit of the Florida Attorney General's Office, and the Internal Revenue Service. The case is being prosecuted by Assistant United States Attorneys Terry A. Zitek and Jay G. Trezevant.